

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1063

AN ACT concerning property.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. [EFFECTIVE JULY 1, 2005] (a) **As used in this SECTION, "committee" refers to the interim study committee on eminent domain established by this SECTION.**

(b) **For the purposes of this SECTION, "commerical use" includes the following:**

- (1) **Private residential development or use of the property.**
- (2) **Private development of the property under a lease.**
- (3) **Use of the property for retail or industrial purposes.**

(c) **There is established the interim study committee on eminent domain. The committee shall study the use of eminent domain, especially where the proposed use of the property being acquired by eminent domain does not relate directly to providing a governmental service or fulfilling a governmental responsibility but is, rather, a commercial use.**

(d) **The committee shall study criteria that could be applied when the acquisition of property by eminent domain for a commercial use is proposed, including the following:**

- (1) **Minimum price offers to the owner of the real property.**
- (2) **Significance of promoting or retaining gainful employment.**
- (3) **Significance of business opportunities.**



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(4) Whether the real property is located within an area in which normal development and occupancy are undesirable or impossible for the following reasons:

(A) Deterioration of improvements.

(B) Obsolescence.

(C) Substandard buildings.

(D) Excessive numbers of vacant, abandoned, or illegally used properties.

(E) Unsanitary or unsafe conditions.

(F) Life or property endangering conditions.

(5) Any other issue assigned by the legislative council.

(e) The committee shall operate under the policies governing study committees adopted by the legislative council.

(f) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.

(g) This SECTION expires January 1, 2006.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Approved: _____

Governor of the State of Indiana

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